

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 21-41019

LIGHTNING TECHNOLOGIES, INC.,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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**OPINION REGARDING THE MONETARY RELIEF PROVISIONS  
IN THE COURT’S CIVIL CONTEMPT ORDER AGAINST PALIOT SOLUTIONS, INC.**

In the Court’s Order filed on July 15, 2022 (Docket # 414, the “Contempt Order”),<sup>1</sup> the Court granted the civil contempt motion filed by Palltronics, Inc., entitled “Palltronics Inc.’s Motion to Enforce Sale Order and Finding of Civil Contempt Against Paliot Solutions LLC” (Docket # 340, the “Motion” or the “Contempt Motion”).<sup>2</sup> PALIoT vigorously contested the Motion. The Contempt Order was entered after extensive litigation and discovery by the parties, and two hearings. The Contempt Order was entered for the reasons stated by the Court on the record during the second hearing held on the Motion, and for the reasons stated later by the Court in the Contempt Order itself.<sup>3</sup>

In the Contempt Order, the Court awarded, among other relief, certain attorney fees and costs in favor of Palltronics and against PALIoT, and established a schedule for Palltronics to file an itemization of its fees and costs, and for PALIoT to file any objections to the itemization.

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<sup>1</sup> The Contempt Order is published. *See In re Lightning Technologies, Inc.*, 641 B.R. 872 (Bankr. E.D. Mich. 2022).

<sup>2</sup> Capitalized terms not otherwise defined in this Opinion have the meanings ascribed to them in the Motion.

<sup>3</sup> *See* Tr. (Docket # 628) at pdf pp. 4-10; Contempt Order (Docket # 414).

The Contempt Order described the scope of the attorney fees and costs to be awarded in this way:

Palltronics is awarded its reasonable attorneys' fees and costs related to or arising from the drafting, filing and prosecution of the Motion, which will include, but not be limited to, its reasonable fees and costs related to or arising from the discovery with LinkedIn.<sup>4</sup>

Palltronics filed its itemization of fees and costs, which contained certain redactions in the fee itemization based on claims of privilege (Docket # 416, the "Itemization"). PALIoT filed objections (Docket # 420, the "Objections"). With leave of Court, Palltronics filed a reply to PALIoT's objections (Docket # 464, the "Reply"). The Court then ordered Palltronics to file, under seal, an unredacted copy of its fee itemization, which Palltronics then did.<sup>5</sup>

The Court has carefully reviewed all of the foregoing papers filed by the parties, and the other parts of the record in this case that are relevant to the Motion. As explained below, the Court will sustain PALIoT's Objections in part, and overrule them in part. The Court now will quantify the fees to be awarded in favor of Palltronics and against PALIoT, as part of the relief being granted in favor of Palltronics on its Motion.

Palltronics seeks fees in the total amount of \$97,810.70, and costs in the total amount of \$1,029.40. PALIoT does not object to the costs itemization or amount, and the Court finds the itemized costs to be reasonable and within the scope of the Court's Contempt Order. So the Court will include such costs in the monetary relief it awards on Palltronics's Motion.

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<sup>4</sup> Contempt Order (Docket # 414) at 4 ¶ 2.

<sup>5</sup> Docket ## 595, 596.

PALIoT does object to the fee amount itemized and requested by Palltronics, on several grounds. PALIoT contends that the fees awarded to Palltronics should be “less than \$46,424.40”<sup>6</sup> — specifically, \$45,395.00.<sup>7</sup>

The Court attaches to this Opinion a copy of the item-by-item objections made by PALIoT in its Objections, which was attached as Exhibit A to the Objections (Docket # 420-1). On the attached copy of PALIoT’s itemized objections, the Court has made handwritten notations to indicate which of the objections are sustained (“S”) and which are overruled (“O”), and the Court has crossed out fee items that the Court is disallowing as a result of sustaining objections.

After reducing the fees to reflect the sustained objections (which reduction totals \$22,544.10), the Court calculates that the remaining fees total \$75,266.60. The Court finds that these fees are reasonable and within the scope of the fees to be awarded, as defined in the Contempt Order.

The Court adds the following points.

**First**, the Court agrees, at least in part, with PALIoT’s argument that at various times, the number of attorneys for Palltronics who worked on the Motion was excessive, such that not all of the attorney time is reasonable, for purposes of awarding fees under the Contempt Order. In its handwritten notations on the attached itemization, the Court has indicated which fees should be disallowed for this reason. The Court indicates this with the number “1” next to the “S” designation. The Court’s approach to this objection is to allow fees for work on the Motion by no more than two attorneys, specifically, attorneys Marc Swanson and Steven Roach, and then

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<sup>6</sup> See PALIoT Objections (Docket # 420) at pdf p. 5.

<sup>7</sup> See Ex. A to PALIoT Objections (Docket # 420-1) at pdf p. 16.

beginning with time entries starting on April 28, 2022, attorneys Marc Swanson and Ronald Spinner.<sup>8</sup>

In so ruling, the Court does not mean to minimize the value of the work done on the Motion by the other Palltronics attorneys. Nor does the Court mean to imply that the work done by the attorneys with disallowed time entries was not reasonable in the overall context of the larger and other disputes between Palltronics and PALIoT that existed at the time. Those other disputes were such that the number of attorneys working for Palltronics and the work they did may well have been reasonable in the larger context. For example, while the work on Palltronics's Motion was going on, and thereafter, Palltronics was preparing, filing, and litigating numerous claims against PALIoT other than just the claim involved in the Contempt Motion. Eventually, Palltronics filed suit against PALIoT, initially in this Court and later in the United States District Court, raising those many other claims. On June 23, 2022, Palltronics filed an adversary proceeding in this Court (Adv. No. 22-4114), which this Court eventually dismissed on abstention grounds.<sup>9</sup> This Court described Palltronics's claims in that case as follows:

In filing this adversary proceeding on June 23, 2022, Palltronics filed a six-count complaint against PALIoT. The complaint alleges that PALIoT, having been unsuccessful in its efforts to buy the Debtor's Assets, stole some of the Assets that were sold to Palltronics under the Final APA and the Sale Order.

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<sup>8</sup> It appears from the time entries that attorney Ronald Spinner first began working on the Motion on April 28, 2022. Attorney Steven Roach had worked on the Motion before that date, and although he also did a small amount of work on the Motion after that date, it appears from the time entries that attorney Ronald Spinner largely took over Steven Roach's role beginning on April 28, 2022. Attorney Marc Swanson worked on the Motion for the entire relevant time period, and he is the attorney who argued on behalf of Palltronics at the hearings held by the Court on the Motion.

<sup>9</sup> Palltronics then filed its lawsuit against PALIoT in the United States District Court, Case No. 2:22-cv-12854-DPH-CI, on November 23, 2022. That case remains pending.

Palltronics alleges that PALIoT stole the Debtor's Intellectual Property ("IP"), and the Debtor's confidential information, including proprietary information and trade secrets, in order "to set up a directly competing business to Palltronics" and to usurp any benefit Palltronics received in the bankruptcy process.

The complaint's six counts contain the following titles: Count I ("Declaratory Judgment Regarding Violation of the Sale Order"); Count II ("Misappropriation of Trade Secrets (Defend Trade Secret Act, 18 U.S.C. § 1836, *et seq.*)"); Count III ("Misappropriation (MCL 445.1901)"); Count IV ("Computer Fraud and Abuse Act (18 U.S.C. § 1030)"); Count V ("Unfair Competition (common law)"); and Count VI ("Intentional Interference with Prospective Economic Advantage").<sup>10</sup>

**Second**, PALIoT is correct, at least to some extent, in arguing that some of the fee time entries are for work done by Palltronics's attorneys on the larger and other claims that Palltronics made against PALIoT, described above, rather than on the Contempt Motion. The former type of work is outside the scope of the fees to be awarded under the Contempt Order. In its handwritten notations on the attached itemization, the Court has indicated which fees are being disallowed for this reason, with the number "2" next to the "S" designation. There were some time entries that included work subject to this objection, but that also included work within the scope of the Contempt Order. Some of those time entries "lumped" time together for both types of work under a single time entry, which makes it impossible for the Court to tell how much time was spent on work within the scope of the Contempt Order, as compared to work outside the scope of the Contempt Order. Such "lumped" time entries are disallowed for this reason, and designated "S-2\*."

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<sup>10</sup> "Opinion Regarding Defendant's Motion to Dismiss for Lack of Jurisdiction, or in the Alternative, for Abstention" (Docket # 81 in Adv. No. 22-4114) at 13-14 (footnote omitted). The opinion just cited is published. *See Palltronics, Inc. v. PALIoT Solutions, Inc. (In re Lightning Technologies, Inc.)*, 647 B.R. 76, 88 (Bankr. E.D. Mich. 2022).

**Third**, with the exception of the objections the Court is sustaining, the Court rejects PALIoT's argument that the amount of time spent by Palltronics attorneys on the Motion, related briefs, discovery-related work, or other tasks in support of the Contempt Motion was excessive, and/or that the overall total of Palltronics's fees is excessive. The Court finds that it was not excessive, but rather was reasonable.

**Fourth**, the Court rejects PALIoT's argument that the Court should disallow fees for all time entries that contain any redactions. That is too harsh a remedy to address PALIoT's concern that the redactions may conceal objectionable time entries. To enable Palltronics to retain its claims of privilege, which the redactions sought to preserve, the Court required Palltronics to file its fee itemization in unredacted form under seal. The Court has reviewed all the redactions, *in camera*, and has determined which of the redacted time entries are objectionable and which are not, and has so indicated with the "O" and "S" designations.

**Fifth**, the Court agrees in part, and disagrees in part, with PALIoT's argument that numerous time entries reflect clerical tasks that are not properly billable as fees. PALIoT makes this argument about all of the time entries by Robin Wysocki, a paralegal, as well as several time entries of attorneys.

The parties agree that clerical work generally is not recoverable in a fee application. *See, e.g., Vela v. City of Houston*, 276 F.3d 659, 681 (5th Cir. 2001) (citation omitted) ("Paralegal work can only be recovered as attorneys' fees if the work is legal rather than clerical."). But the parties disagree about whether the work at issue was clerical, rather than legal in nature.<sup>11</sup>

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<sup>11</sup> *See* Objections (Docket # 420) at 4-5; Palltronics Reply (Docket # 464) at 9-10.

In its handwritten notations on the attached itemization, the Court has indicated which fees should be disallowed based on this “clerical work” objection, with the number “3” next to the “S” designation. Except as so designated, the Court finds that all the other work was not merely clerical work, but rather was work which was reasonable and properly billed as attorney work and as paralegal work.

Except to the extent the Court sustains PALIoT’s objections by the “S” designation on the attached itemization, the Court overrules PALIoT’s objections, and the Court finds that the work done by the attorneys and paralegal for Palltronics was reasonable and within the scope of compensable fees under the Contempt Order.<sup>12</sup>

For these reasons, the Court will enter a judgment requiring PALIoT to pay Palltronics a total of \$76,296.00, consisting of fees in the amount of \$75,266.60 plus costs in the amount of \$1,029.40.

**Signed on May 10, 2024**



**/s/ Thomas J. Tucker**

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**Thomas J. Tucker**  
**United States Bankruptcy Judge**

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<sup>12</sup> The Court notes that PALIoT does not object to any of the hourly rates reflected in Palltronics’s Itemization. In fact, PALIoT actually adopts those hourly rates, in its own calculation of the \$45,395.00 total of fees that PALIoT asks the Court to award. In any event, the Court finds all of the hourly rates reflected in the Palltronics Itemization to be reasonable.

**FEES**

Date	Timekeeper	Description	Hours	Amount	Objection	Amount
1/4/2022	Gregory DeGrazia	Research employment record of Richard MacDonald; begin substantive revisions to demand letter to Paliot	0.8	\$ 444.00	Not related to motion	\$ - <del>S-2</del>
1/4/2022	Steven Roach	EMails from Mr. Kassab and Mr. DiFiore. Attention to contempt motion and demand letter to Paliot.	0.3	\$ 177.00	Not related to motion	\$ - <del>S-2*</del>
1/5/2022	Marc Swanson	Reviewing letter and analyzing motion to enforce sale order.	0.4	\$ 218.00		\$ 218.00
1/6/2022	Gregory DeGrazia	Phone conference with client to discuss [REDACTED]	0.4	\$ 222.00	Redacted, not related to motion	\$ - <del>S-2</del>
1/6/2022	Gregory DeGrazia	Phone conference with litigation team to discuss [REDACTED]	0.6	\$ 333.00	Redacted, not related to motion	\$ - <del>S-1</del>
1/6/2022	Steven Roach	Strategize with Mr. Swanson and Mr. DeGrazia on plan of action against Paliot. Email with Mr. Kassab. Conference call with clients on Paliot issues. Revise Paliot demand letter.	1.4	\$ 826.00	Not related to motion	\$ - <del>S-2*</del>
1/6/2022	Marc Swanson	Reviewing and revising letter (.3); telephone conference with S. Roach and G. DeGrazia (.6).	0.9	\$ 490.50	Not related to motion	\$ - <del>S-2</del>
1/11/2022	Robin Wysocki	Assisting M. Swanson in finding documents to draft motion to enforce against Paliot.	0.7	\$ 187.60	Administrative	\$ - <del>0</del>
1/12/2022	Gregory DeGrazia	Further review of PALIoT website and research Internet uses of "Lightning" relative to pallets; identify links to Lightning website and business directories referencing same in preparation for [REDACTED]	1.8	\$ 999.00	Redacted, not related to motion	\$ - <del>S-1 S-2*</del>
1/12/2022	Gregory DeGrazia	Phone conference with client to discuss results of [REDACTED]	0.3	\$ 166.50	Redacted, not related to motion	\$ - <del>0</del>
1/12/2022	Gregory DeGrazia	Research remedies available for [REDACTED]	3.1	\$ 1,720.50	Redacted, not related to motion	\$ - <del>S-2</del>
1/13/2022	Gregory DeGrazia	Phone conference with research associate to review [REDACTED]	0.8	\$ 444.00	Redacted, not related to motion	\$ - <del>S-2</del>
1/13/2022	Gregory DeGrazia	Email litigation team with latest research relative to [REDACTED]; make final revision to letter and identify additional employees of Paliot and Lightning.	0.7	\$ 388.50	Redacted, not related to motion	\$ - <del>S-2</del>
1/13/2022	Gregory DeGrazia	Further research into affiliated employees of Paliot and	0.5	\$ 277.50	Not related to	\$ - <del>S-2</del>

1/13/2022 Steven Roach	Review FRE and email from Luckey on injunctive language in the Sale Order.	0.2	\$	118.00	Not related to motion	\$	-	0
1/13/2022 Marc Swanson	Drafting motion for civil contempt and to enforce sale order; reviewing and analyzing related documents and emails	3.6	\$	1,962.00		\$	1,962.00	
1/13/2022 Robin Wysocki	Assisting M. Swanson in finding documents to draft motion to enforce against Paliot.	0.3	\$	80.40	Administrative	\$	-	0
1/14/2022 Marc Swanson	Drafting motion for contempt and to enforce sale order.	2.5	\$	1,362.50		\$	1,362.50	
1/17/2022 Marc Swanson	Drafting motion to enforce and for contempt.	1.5	\$	817.50		\$	817.50	
1/18/2022 Marc Swanson	Drafting motion to enforce the sale order and for contempt.	2.5	\$	1,362.50		\$	1,362.50	
1/18/2022 Robin Wysocki	Assisting M. Swanson in finding document needed to draft motion to enforce against Paliot.	0.2	\$	53.60	Administrative			0
1/20/2022 Jonathan Green	Conference with M. Swanson regarding Luckey exhibit [REDACTED]	0.3	\$	202.50	Redacted, not related to motion	\$	-	5-1
1/20/2022 Marc Swanson	Drafting motion to enforce sale order and for contempt.	1.5	\$	817.50		\$	817.50	
1/21/2022 Jonathan Green	Review and revision of motion for contempt of sale order.	0.3	\$	202.50		\$	202.50	5-1
1/23/2022 Marc Swanson	Drafting motion to enforce sale order and for contempt.	1.6	\$	872.00		\$	872.00	
1/24/2022 Jonathan Green	Review and revise contempt motion papers against Paliot.	2.8	\$	1,890.00	Exceeds 13.5 hours on motion			5-1
1/24/2022 Jonathan Green	Review S. Roach's comments to draft contempt motion papers.	0.2	\$	135.00	Exceeds 13.5 hours on motion			5-1
1/24/2022 Steven Roach	Work on motion for contempt and for injunctive relief.	0.5	\$	295.00	Exceeds 13.5 hours on motion			0
1/24/2022 Marc Swanson	Drafting and revising motion to enforce.	3.3	\$	1,798.50	Exceeds 13.5 hours on motion			0
1/25/2022 Gregory DeGrazia	Video conference with litigation team to discuss motion for contempt of bankruptcy Sale Order.	0.4	No charge					

1/25/2022 Jonathan Green	Review revised version of contempt motion papers.	0.3	\$202.50	Exceeds 13.5 hours on motion	5-1
1/25/2022 Jonathan Green	Conference call with S. Roach and M. Swanson regarding contempt motion.	0.3 No charge	\$ -		
1/25/2022 Jonathan Green	Conference with M. Swanson regarding [REDACTED] and treatment of Luckey exhibit thereunder.	0.2 No charge	\$ -		
1/25/2022 Jonathan Green	Review MacDonald's certification regarding turnover of property.	0.1	\$ 67.50	Exceeds 13.5 hours on motion	5-1
1/25/2022 Jonathan Green	Review and revise contempt motion papers.	0.4	\$ 270.00	Exceeds 13.5 hours on motion	5-1
1/25/2022 Steven Roach	Work on motion for contempt. Review file regarding same.	1.4	\$ 826.00	Exceeds 13.5 hours on motion	0
1/25/2022 Marc Swanson	Telephone conference with Palltronics team regarding motion.	0.3	\$ 163.50	Exceeds 13.5 hours on motion	0
1/25/2022 Marc Swanson	Drafting and revising motion (1.1); meeting with J. Green regarding same (.2); related emails (.2).	1.5	\$ 817.50	Exceeds 13.5 hours on motion	0
1/26/2022 Gregory DeGrazia	Review Motion for Contempt, outline relevant [REDACTED]; email legal opinion to litigation team.	1.2	\$ 666.00	Redacted, not related to motion	5-2, 5-1
1/26/2022 Gregory DeGrazia	Further research relative to [REDACTED]	2.6	\$ 1,443.00	Redacted, not related to motion	5-2, 5-1
1/26/2022 Jonathan Green	Review and revise revised contempt motion papers.	1.5	\$ 1,012.50	Exceeds 13.5 hours on motion	5-1
1/26/2022 Jonathan Green	Conference with M. Swanson regarding proposed revisions to contempt motion papers.	0.2	\$ 135.00	Exceeds 13.5 hours on motion	5-1
1/26/2022 Jonathan Green	Review and revise further revised contempt motion papers.	0.3	\$ 202.50	Exceeds 13.5 hours on motion	5-1
1/26/2022 Jonathan Green	Review S. Roach's proposed revisions to contempt motion papers.	0.2	\$ 135.00	Exceeds 13.5 hours on motion	5-1
1/26/2022 Jonathan Green	Review G. DeGrazia's comments regarding [REDACTED]	0.1	\$ 67.50	Exceeds 13.5 hours on motion	5-2, 5-1
1/26/2022 Jonathan Green	Conference with M. Swanson regarding [REDACTED]	0.2	\$ 135.00	Exceeds 13.5 hours on motion	5-2, 5-1

1/26/2022 Jonathan Green	Review and revise <del>revised</del> motion papers.	0.3	\$	202.50 Exceeds 13.5 hours on motion			5-1
1/26/2022 Steven Roach	Work on contempt motion.	0.9	\$	531.00 Exceeds 13.5 hours on motion			0
1/26/2022 Marc Swanson	Reviewing comments to motion, emails regarding same, and further revisions to motion.	2.4	\$	1,308.00 Exceeds 13.5 hours on motion			0
1/28/2022 Jonathan Green	Review revised contempt motion <del>papers</del> for filing.	0.2	\$	135.00 Exceeds 13.5 hours on motion			5-1
1/28/2022 Steven Roach	Email with Mr. Heiberger. Telephone conference with Mr. Kassab. Email with Mr. McDowell. Telephone conference with client team and IP team. Review and finalize motion to enforce.	1.5	\$	885.00 Not related to motion			5-2*
1/28/2022 Marc Swanson	Emails with Paliot's counsel regarding motion (.2); telephone conference with Paltronic's team regarding motion and other subjects (.6); drafting new section of motion related to Paliot's past improprieties (.6); finalizing motion and preparing for filing (.6).	2	\$	1,090.00	\$	1,090.00	
1/28/2022 Robin Wysocki	Assemble multiple exhibits and finalize and file motion to enforce sale order and for contempt against Paliot; arrange first class mail and email service.	1.5	\$	402.00 Administrative			5-3
2/11/2022 Jonathan Green	Review Paliot's response to motion to enforce sale order and for finding of civil contempt.	0.3	\$	202.50	\$	202.50	5-1
2/16/2022 Steven Roach	Work on reply to Paliot.	0.2	\$	118.00	\$	118.00	
2/16/2022 Marc Swanson	Reviewing response to motion to enforce sale order (.4); telephone conference regarding same with S. Roach (.2); emails regarding same (.1); outlining reply and declaration in support of reply (.6).	1.3	\$	708.50	\$	708.50	
2/17/2022 Steven Roach	Telephone conference with Mr. Kassab. Attention to reply. Email with Mr. DiFiore.	0.5	\$	295.00 Not related to motion			0
2/18/2022 Jonathan Green	Conference with M. Swanson regarding reply regarding contempt motion.	0.2	\$	-			
2/18/2022 Marc Swanson	Reviewing and analyzing response and outlining declaration (.6); telephone conference with M. DiFiore	1.6	\$	872.00	\$	872.00	

2/21/2022 Marc Swanson	Drafting reply and declaration.	3.7	\$	2,016.50	\$	2,016.50	
2/22/2022 Gregory DeGrazia	Review Paliot response to motion for contempt; email opinion to litigation team.	0.6	\$	333.00	Unnecessary duplication, Not related to motion		S-1
2/22/2022 Jonathan Green	Review and revise reply to Paliot response and prepare memo of considerations for S. Roach and M. Swanson.	1.2	\$	810.00	Unnecessary duplication, Not related to motion		S-1
2/22/2022 Jonathan Green	Conference with M. Swanson regarding revisions to reply.	0.2	\$	135.00	Unnecessary duplication.		S-1
2/22/2022 Jonathan Green	Review further revisions to reply to Paliot.	0.2	\$	135.00	Unnecessary duplication.		S-1
2/22/2022 Jonathan Green	Conference with S. Roach regarding [REDACTED]	0.2 No charge	\$	-			
2/22/2022 Jonathan Green	Review and revise Fiore declaration.	0.2	\$	135.00		\$	135.00 S-1
2/22/2022 Steven Roach	Review and comment on reply to Palliot and declaration of DiFiore.	0.2	\$	118.00	Unnecessary duplication		0
2/22/2022 Marc Swanson	Drafting reply in support of motion to enforce and related declaration.	1.9	\$	1,035.50		\$	1,035.50
2/22/2022 Marc Swanson	Reviewing J. Green's comments and writing reply email (.3); telephone conference with Trustee's counsel, D. Nelson, regarding LinkedIn site (.2); email regarding same (.1); additional revisions to declaration and reply (.5).	1.1	\$	599.50		\$	599.50
2/23/2022 Marc Swanson	Reviewing changes to declaration (.2); telephone conference with M. DiFiore (.1); revising declaration and email regarding same (.2).	0.5	\$	272.50		\$	272.50
2/24/2022 Jonathan Green	Review revised reply brief to PALIoT.	0.2	\$	135.00	Unnecessary duplication		S-1
2/24/2022 Marc Swanson	Finalizing and preparing for filing the reply in support of motion to enforce the sale order and for contempt.	0.6	\$	327.00	Administrative		0
2/24/2022 Robin Wysocki	Finalize and file reply to response to Palltronics Inc.'s Reply in Support of Its Motion to Enforce Sale Order and Finding of Civil Contempt Against PALIoT Solutions LLC.	0.6	\$	160.80	Administrative		S-3
3/1/2022 Steven Roach	Prepare for hearing on Paliot motion.	0.2	\$	118.00	Unnecessary		0

3/1/2022 Marc Swanson	Preparing for hearing on motion against Paliot and related research in preparation for hearing.	2.5	\$	1,362.50	\$	1,362.50	
3/2/2022 Steven Roach	Attend hearing. Consult with Mr. Swanson on next steps. Call to Mr. Kassab.	1	\$	590.00 Unnecessary duplication			0
3/2/2022 Marc Swanson	Preparation for (1.1) and participation in court hearing regarding Paliot (.7); reviewing order regarding discovery and subject matter jurisdiction and related transcript (.5); outlining subpoena topics (.3).	2.6	\$	1,417.00	\$	1,417.00	
3/4/2022 Marc Swanson	Preparation for (.3) and participation in telephone conference with M. DiFiore and S. Roach regarding subpoena (.4).	0.7	\$	381.50	\$	381.50	
3/7/2022 Marc Swanson	Telephone conference with PC Magic, S. Roach and M. DiFiore (.4); drafting subpoena (1.1).	1.5	\$	817.50	\$	817.50	
3/9/2022 Steven Roach	Attention to status of subpoena to LinkedIn.	0.1 No charge	\$	-			
3/9/2022 Robin Wysocki	Work on drafting subpoena form and cover letter for discovery to LinkedIn Corporation and research related to LinkedIn's requirements for service and questions related to domestication in California.	1.7		\$455.60 Administrative			0
3/10/2022 Robin Wysocki	Make preliminary arrangements for service of subpoena on Palltronics and make revisions to subpoena form and cover letter.	0.4	\$	107.20 Administrative			0
3/11/2022 Robin Wysocki	Prepare preliminary draft of addendum to subpoena to LinkedIn.	0.5		\$134.00 Administrative			0
3/14/2022 Marc Swanson	Drafting subpoena.	0.8	\$	436.00 Exceeds 1 hour in preparing subpoenaa			0
3/17/2022 Steven Roach	Review and revise subpoena.	0.2	\$	118.00 Exceeds 1 hour in preparing subpoenaa			0
3/17/2022 Marc Swanson	Finalizing subpoena and emails regarding same.	0.4	\$	218.00 Exceeds 1 hour in preparing subpoenaa			0
3/18/2022 Marc Swanson	Editing and finalizing subpoena.	0.4	\$	218.00 Exceeds 1 hour in preparing subpoenaa			0

3/18/2022 Robin Wysocki	Finalize subpoena and cover letter to LinkedIn and arrange service on registered agent in California.	1.2	\$	321.60	Administrative	0
3/21/2022 Marc Swanson	Emails regarding subpoena with opposing counsel and R. Wysocki.	0.2	\$	109.00	Exceeds 1 hour in preparing subpoena	0
3/23/2022 Marc Swanson	Reviewing notice of subpoena and certificate of service for filing with the court.	0.2	\$	109.00	Administrative	0
3/23/2022 Robin Wysocki	Draft notice of served subpoena on LinkedIn; serve notice on counsel for Paliot and file notice with court.	1.0	\$	268.00	Administrative	0
4/2/2022 Marc Swanson	Reviewing subpoena, response and next steps.	0.5	\$	272.50		\$ 272.50
4/4/2022 Marc Swanson	Preparation for telephone conference with LinkedIn through review of response and cited cases and law (.6); telephone conference with LinkedIn (.5).	1.1	\$	599.50		\$ 599.50
4/18/2022 Jonathan Green	Review final sale order for jurisdiction conference.	0.3 No charge	\$	-		
4/18/2022 Jonathan Green	Conference with M. Swanson regarding [REDACTED]	0.2 No charge	\$	-		
4/19/2022 Jonathan Green	Review Judge Tucker's prior jurisdictional decisions.	1.4		\$945.00		\$ 945.00
4/19/2022 Jonathan Green	Review M. Swanson's [REDACTED]	0.2	\$	135.00	Redacted, not related to motion	
4/19/2022 Garrett Hondorp	Stage new data to network. Create and configure Relativity database. Inventory, process, and publish new files for review.	0.2	\$	49.00	Not related to motion	
4/19/2022 Robin Wysocki	Make arrangements to have documents produced by LinkedIn Corporation uploaded to litigation file database.	0.2	\$	53.60	Administrative	
4/21/2022 Jonathan Green	Conference with M. Swanson regarding j[REDACTED]	0.2 No charge	\$	-		
4/21/2022 Marc Swanson	Researching issue regarding [REDACTED] (1.2); telephone conference with J. Green regarding same (.2).	1.4	\$	763.00	Redacted, not related to motion	
4/22/2022 Jonathan Green	Conference with M. Swanson regarding [REDACTED]	0.2 No charge	\$	-		

4/22/2022 Steven Roach	Strategy calls on enforcing the Sale Order as to Palot and to obtain the information from LinkedIn. Email with Mr. Swanson on discovery issues. Telephone conference with Mr. Kassab.	1.4	\$	840.00	Unnecessary duplication, Not related to motion		0
4/22/2022 Marc Swanson	Several emails regarding nondisclosure agreements, LinkedIn subpoena and other related issues.	0.4		\$218.00	Not related to motion		0
4/25/2022 Jonathan Green	Review LinkedIn supplemental production.	0.2	\$	135.00		\$ 135.00	5-1
4/25/2022 Marc Swanson	Emails with LinkedIn (.2); telephone conference with LinkedIn (.2); reviewing discovery (.4); related emails (.4).	1.2	\$	654.00		\$ 654.00	
4/27/2022 Steven Roach	Research [REDACTED]	0.2	\$	120.00	Redacted, not related to motion		0
4/28/2022 Ronald Spinner	Call with Marc Swanson to outline issue and discuss needed discovery.	0.2	No charge	\$ -			
4/28/2022 Ronald Spinner	Review motion, response, and reply with respect to LinkedIn page issue.	0.6	\$	306.00	Unnecessary duplication		0
4/28/2022 Ronald Spinner	Review LinkedIn production and related emails forwarded by Marc Swanson.	0.2	\$	102.00	Unnecessary duplication		0
4/28/2022 Ronald Spinner	Begin production of exhibits from LinkedIn spreadsheet.	0.4	\$	204.00	Unnecessary duplication		0
4/28/2022 Marc Swanson	Emails regarding Stuve and MacDonald (.2); outlining motion for additional discovery (.5); telephone conference with R. Spinner regarding same (.2).	0.9	\$	490.50		\$ 49.50	
4/29/2022 Ronald Spinner	Begin drafting motion for discovery based on LinkedIn production.	1.1	\$	561.00		\$ 561.00	
5/2/2022 Jonathan Green	Review LinkedIn in discovery stipulation and order.	0.1	\$	67.50	Unnecessary duplication		5-1
5/2/2022 Ronald Spinner	Complete draft of ex parte motion to examine MacDonald and Stuve and prepare exhibits.	3.6	\$	1,836.00		\$ 1,836.00	
5/2/2022 Robin Wysocki	Prepare draft of stipulation and proposed order for extension of time to complete discovery from LinkedIn.	0.8	\$	214.40	Administrative		0
5/2/2022 Robin Wysocki	Finalize and stipulation and proposed order for extension of time to complete discovery from LinkedIn.	0.4	\$	107.20	Administrative		0

5/2/2022 Robin Wysocki	Locate and obtain [REDACTED] on motion to enforce sale order.	0.2 No charge	\$	-		
5/3/2022 Ronald Spinner	Call with Marc Swanson regarding [REDACTED]	0.2 No charge	\$	-		
5/3/2022 Ronald Spinner	Review and revise motion for discovery for Stuve.	2.8	\$	1,428.00	Excessive hours for discovery motion (already 4.7 hours)	0
5/3/2022 Ronald Spinner	Research whether [REDACTED]	1.8	\$	918.00	Redacted, not related to motion	0
5/3/2022 Ronald Spinner	Draft motion to seek discovery from Richard MacDonald.	1.5	\$	765.00	Excessive hours for discovery motion (already 4.7 hours)	0
5/3/2022 Ronald Spinner	Review and revise ex parte motion for authorization for discovery, send to Marc Swanson.	0.7	\$	357.00	Excessive hours for discovery motion (already 4.7 hours)	0
5/5/2022 Ronald Spinner	Revise motion for Stuve discovery to incorporate comments.	1.5	\$	765.00	Excessive hours for discovery motion (already 4.7 hours)	0
5/5/2022 Marc Swanson	Drafting supplement and discovery motion.	2.2	\$	1,199.00	Excessive hours for discovery motion (already 4.7 hours)	0
5/6/2022 Ronald Spinner	Call with Marc Swanson to discuss questions regarding [REDACTED]	0.1 No charge	\$	-		
5/6/2022 Ronald Spinner	Revise motion for Stuve discovery to incorporate additional comments from Marc Swanson.	1.8	\$	918.00	Excessive hours for discovery motion (already 4.7 hours)	0
5/6/2022 Marc Swanson	Drafting supplement in support of motion to enforce against Paliot.	5.6	\$	3,052.00		\$ 3,052.00
5/7/2022 Jonathan Green	Review and revise supplement to motion to enforce.	0.6	\$	405.00		\$ 405.00
5/7/2022 Jacob Koering	Receive and review updates from client and team on motion to enforce and status; confer with team on same;	0.5	\$	305.00	Unnecessary duplication, Not	

5-1,  
5-2

5/7/2022 Steven Roach	Review and revise supplemental brief on theft of the LinkedIn page and motion for examination of Stuve.	0.9	\$	540.00	Unnecessary duplication		0
5/8/2022 Jonathan Green	Review and further revise the supplemental response to Paliot.	0.3	\$	202.50	Unnecessary duplication		5-1
5/8/2022 Marc Swanson	Reviewing comments and revising brief.	0.9	\$	490.50		\$ 490.50	
5/9/2022 Jonathan Green	Review comments to supplement regarding Paliot.	0.2	\$	135.00	Unnecessary duplication		5-1
5/9/2022 Jonathan Green	Conference with M. Swanson regarding [REDACTED]	0.2	\$	135.00	Redacted, not related to motion		5-1, 5-2
5/9/2022 Jonathan Green	Review final version of supplement regarding Paliot.	0.2	\$	135.00	Unnecessary duplication		5-1
5/9/2022 Jonathan Green	Review LinkedIn declaration for supplement.	0.2	\$	135.00	Unnecessary duplication		5-1
5/9/2022 Jonathan Green	Review Paliot's supplemental response to motion to enforce.	0.3	\$	202.50		\$ 202.50	5-1
5/9/2022 Jonathan Green	Conference with M. Swanson regarding Paliot's response and counterarguments and temporal nature of response.	0.3	\$	202.50		\$ 202.50	5-1
5/9/2022 Jonathan Green	Review Ex Parte Motion for Examination of Trevor Stuve Under Federal Rule of Bankruptcy Procedure 9014 and Local Rule 7026-3 8.	0.2	\$	135.00	Excessive hours for discovery motion (already 4.7 hours)		5-1
5/9/2022 Steven Roach	Attention to filing on LinkedIn. Review Paliot response.	0.3	\$	180.00	Unnecessary duplication		0
5/9/2022 Ronald Spinner	Revise exhibits for filing.	0.4	\$	204.00	Administrative		0
5/9/2022 Ronald Spinner	Adjust formatting on Change List exhibit to ensure LinkedIn links function.	0.2	\$	102.00	Administrative		0
5/9/2022 Marc Swanson	Finalizing brief and reviewing brief filed by PALIoT.	0.9	\$	490.50		\$ 490.50	
5/9/2022 Robin Wysocki	Finalize with exhibits and file with court: Ex Parte motion for leave to conduct examination of Trevor Stuve and supplemental brief in support of motion to enforce sale order against Paliot.	1.6	\$	428.80	Administrative		5-3

5/10/2022 Ronald Spinner	Draft subpoenas and discovery requests for Trevor Stuve.	3.3	\$	1,683.00	Excessive time for subpoena	\$	500.00	0
5/10/2022 Ronald Spinner	Work on locating Trevor Stuve for subpoena service.	0.5	\$	255.00	Administrative			0
5/10/2022 Marc Swanson	Reviewing and revising subpoena and document production requests to T. Stuve (.5); reviewing order on discovery and drafting email regarding same (.2).	0.7	\$	381.50		\$	381.50	
5/11/2022 Jonathan Green	Review addendum to T. Stuve subpoena and additional comments.	0.2	\$	135.00	Unnecessary duplication			5-1
5/11/2022 Steven Roach	Review and comment on Stuve subpoena and production requests.	0.2	\$	120.00	Unnecessary duplication			5-1
5/11/2022 Ronald Spinner	Revise subpoena and discovery to incorporate comments.	0.4	\$	204.00	Unnecessary duplication			0
5/11/2022 Ronald Spinner	Revise subpoena addendum to incorporate comments and add additional communications parties.	1.4	\$	714.00	Unnecessary duplication, and excessive time for subpoena, (already 3.3 hours)			0
5/11/2022 Ronald Spinner	Final revisions to subpoena addendum and work to line up process server, court reporter, and deposition space.	0.7	\$	357.00	Unnecessary duplication, and excessive time for subpoena, (already 3.3 hours)			0
5/12/2022 Ronald Spinner	Finalize subpoenas for service.	0.4	\$	204.00	Excessive time for subpoena			0
5/12/2022 Marc Swanson	Preparation for hearing on motion to enforce plan.	0.7	\$	381.50		\$	381.50	
5/12/2022 Robin Wysocki	Research to confirm best choice of residence address for service of subpoenas on Trevor Stuve; calculate witness fee to be tendered for attendance at deposition; finalize subpoenas; arrange process server and court reporter and assist with finalizing related details.	2	\$	536.00	Administrative			0
5/13/2022 Steven Roach	Attention to MacDonald deposition.	0.2	No charge	\$	-			

5/19/2022 Ronald Spinner	Work on service issue with respect to Stuve document subpoena.	0.3	\$	153.00	Administrative		0
5/20/2022 Ronald Spinner	Review issues with respect to subpoena service and direct next steps to correct.	0.3	\$	153.00	Administrative		0
5/20/2022 Marc Swanson	Reviewing emails regarding service issues on subpoenas.	0.2	\$	109.00	Administrative		0
5/22/2022 Marc Swanson	Emails regarding service of subpoenas on T. Steve and need to file notices of service.	0.2	\$	109.00	Administrative		0
5/23/2022 Ronald Spinner	Review and comment on draft subpoena proofs of service.	0.2	\$	102.00	Excessive time for subpoena		0
5/23/2022 Ronald Spinner	Call with Robin Wysocki to address proof of service questions.	0.2 No charge	\$	-			
5/23/2022 Ronald Spinner	Review further revisions to proofs of service and approve.	0.1 No charge	\$	-			
5/23/2022 Robin Wysocki	Continued work with Fortz Legal and receipt of executed proofs of service for Stuve subpoenas.	1.9	\$	509.20	Administrative		0
5/24/2022 Ronald Spinner	Review and approve notice of subpoena service.	0.1	\$	51.00		\$ 51.00	
5/24/2022 Robin Wysocki	Prepare Notice of Served Subpoenas with exhibits for filing with court.	0.3	\$	80.40	Administrative		0
5/25/2022 Robin Wysocki	File Notice of Served Subpoenas with court.	0.3	\$	80.40	Administrative		5-3
5/27/2022 Steven Roach	Review Stuve documents.	0.1	\$	60.00		\$ 60.00	
5/27/2022 Marc Swanson	Briefly reviewing documents produced by Stuve.	0.2	\$	109.00		\$ 109.00	
5/30/2022 Marc Swanson	Reviewing documents produced by Stuve and preparing for deposition.	2.6	\$	1,417.00		\$ 1,417.00	
5/31/2022 Ronald Spinner	Call with Marc Swanson to discuss deposition of Trevor Stuve.	0.2	\$	102.00	Unnecessary duplication		0
5/31/2022 Ronald Spinner	Plan next steps with respect to Stuve deposition.	0.2	\$	102.00	Unecessary duplication		0

5/31/2022 Ronald Spinner	Draft and file notice of deposition of Trevor Stuve.	0.7	\$	357.00	\$	357.00
5/31/2022 Ronald Spinner	Service of notice of deposition and associated documents on PALIoT counsel.	0.1	\$	51.00	\$	51.00
5/31/2022 Ronald Spinner	Draft and file certificate of service regarding service of notice of subpoena and related documents.	0.4	\$	204.00	\$	204.00
5/31/2022 Marc Swanson	Preparing for deposition of Stuve.	1.1	\$	599.50	\$	599.50
5/31/2022 Robin Wysocki	Make updates to attorney binder of court papers related to motion to enforce against PaLlot.	0.5	\$	134.00 Administrative		
5/31/2022 Robin Wysocki	Assemble documents to be used as exhibits for Trevor Stuve deposition and arrange printing as assembly of binders and draft index of all exhibits.	2.6	\$	696.80 Administrative		
6/1/2022 Marc Swanson	Preparing for deposition of Stuve.	1.5	\$	817.50	\$	817.50
6/2/2022 Steven Roach	Telephone conference with Mr. Swanson on Stuve deposition (no charge).	0.2 No charge	\$	-		
6/2/2022 Marc Swanson	Preparation for deposition of Stuve (1.6); deposition of Stuve (3.0).	4.6	\$	2,507.00	\$	2,507.00
6/28/2022 Marc Swanson	Preparation for hearing on motion for contempt through review of deposition testimony, exhibits, motion to enforce, response, reply, and supplements and exhibits thereto and cases cited therein.	5.7	\$	3,106.50	\$	3,106.50
6/29/2022 Ronald Spinner	Discuss outcome of hearing and plan next steps with respect to judge's ruling and briefs due with Marc Swanson and Steve Roach	0.8	\$	408.00 Unecessary duplication		
6/29/2022 Marc Swanson	Preparation for hearing on motion to enforce (1.3); hearing on motion to enforce (1.0); meeting with S. Roach and J. Koering and client after hearing (.8); reviewing order regarding subject matter jurisdiction and related cases (.8).	3.9	\$	2,125.50 Partially unrelated to motion	\$	1,250.00
6/29/2022 Robin Wysocki	Submit proposed order requested by court at hearing held today. (no charge)	0.4 No charge	\$	-		
7/1/2022 Ronald Spinner	Review court hearing regarding contempt motion in connection with drafting brief on subject matter	0.8	\$	408.00	\$	408.00

7/1/2022 Ronald Spinner	Review cases cited by Judge Tucker in his opinion and cases referenced therein regarding subject matter jurisdiction for a bankruptcy court to enforce its own	1.4	\$	714.00	\$	714.00	
7/5/2022 Marc Swanson	Telephone conference with R. Spinner regarding [REDACTED]	0.2 No charge	\$	-			
7/5/2022 Ronald Spinner	Plan next steps with respect to subject matter jurisdiction arguments for contempt motion and adversary proceeding	0.3 No charge	\$	-			
7/6/2022 Marc Swanson	Meeting with R. Spinner regarding subject matter jurisdiction (.3); reviewing brief filed by Paliot (.2); emails with S. Roach regarding same (.2); reviewing response prepared by R. Spinner regarding subject matter jurisdiction (.3).	1	\$	545.00	\$	545.00	
7/6/2022 Ronald Spinner	Review PALIoT response brief to contempt motion	0.2	\$	102.00	\$	102.00	
7/6/2022 Ronald Spinner	Plan next steps for response to PALIoT on contempt motion with Marc Swanson	0.2	\$	102.00	\$	102.00	
7/6/2022 Ronald Spinner	Research and draft short response brief to PALIoT motion on subject matter jurisdiction and circulate for comments	4.3	\$	2,193.00	\$	2,193.00	
7/10/2022 Steven Roach	Work on response brief on subject matter jurisdiction.	0.5	\$	300.00	Unnecessary duplication		5-1
7/10/2022 Marc Swanson	Drafting and revising supplemental brief against Paliot regarding subject matter jurisdiction.	1.2	\$	654.00	Unnecessary duplication		0
7/10/2022 Ronald Spinner	Review comments to response to supplemental brief (contempt)	0.4	\$	204.00	Unnecessary duplication		0
7/11/2022 Marc Swanson	Reviewing and revising brief on subject matter jurisdiction; reading cases cited therein and additional research	2.6	\$	1,417.00	Unnecessary duplication		0
7/12/2022 Jonathan Green	Conference with S. Roach regarding revisions to brief.	0.2	\$	135.00	Unnecessary duplication		5-1
7/12/2022 Jonathan Green	Review revised brief and conference with M. Swanson regarding same.	0.2	\$	135.00	Unnecessary duplication		5-1
7/12/2022 Jonathan Green	Review response brief regarding subject matter jurisdiction regarding motion to enforce sale order.	0.2	\$	135.00	Unnecessary duplication		5-1
7/12/2022 Robin Wysocki	Finalize and file reply in support of motion to enforce and submit proposed order.	0.7	\$	187.60	Administrative		5-3

7/12/2022 Marc Swanson	Revising and finalizing briefs regarding subject matter jurisdiction.	2.5	\$	1,362.50	Unecessary duplication		0
7/12/2022 Ronald Spinner	Work on final revisions to supplemental brief on subject matter jurisdiction for contempt motion	0.4	\$	204.00	Unecessary duplication		0
7/12/2022 Ronald Spinner	Call with Marc Swanson regarding final changes to reply to response to contempt motion and regarding name changes for PALIoT	0.2 No charge	\$	-			
7/26/2022 Ronald Spinner	Prepare spreadsheet of fees and costs from invoices and WIP from January 1, 2022, and forward	4.4	\$	2,244.00	Partially excessive	\$ 1,000.00	0
<b>Total Fees</b>				<del>\$ 95,855.60</del>		<del>\$ 45,395.00</del>	
Total Costs (from other				<del>\$1,029.40</del>		<del>\$ 1,029.40</del>	
<b>Total Fees and Costs</b>				<del>\$98,840.10</del>		<del>\$ 46,424.40</del>	